

Requirements for Multimedia Evaluation and the Low Carbon Fuel Standard (LCFS)

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Health and Safety Code Section 43830.8

- Prohibits the ARB from adopting a regulation establishing a specification for motor vehicle fuel unless the regulation and the associated multimedia evaluation are reviewed by the California Environmental Policy Council (CEPC)

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CEPC Membership

- The Secretary of the California Environmental Protection Agency
- Chairpersons of ARB, the State Water Resources Control Board, and the Integrated Waste Management Board
- Directors of the Office of Environmental Health Hazard Assessment and the Department of Toxic Substances Control

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Applicability

- Requirement for multimedia only applicable if the regulation establishes a fuel specification

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Definition of “Specification”

- “Specification” defined as a detailed description of the design and materials used to make something

Reference: Oxford American Dictionary

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LCFS Does Not Establish A Specification for Fuel

- Requires regulated parties to reduce overall carbon intensity of their fuels by ten percent
- Does not establish motor vehicle fuel specifications

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LCFS Regulation Does Not Affect Existing Fuel Specifications

- Gasoline must continue to meet CARB gasoline and diesel fuel regulations
- ARB specifications already established for E100 and E85 (independent of feedstock), compressed natural gas, liquefied petroleum gas, hydrogen

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Therefore, Multimedia Evaluation Is Not Required for LCFS

- LCFS does not establish new specifications or amend existing ones:
 - H&S §43830.8 does not require a multimedia evaluation for the LCFS rulemaking.
- To implement the “spirit” of H&S §43830.8:
 - Staff will conduct a functionally equivalent assessment for the LCFS rulemaking.

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When Will ARB Conduct Multimedia Evaluation?

- Adopt New Fuel Specifications; for example
 - Biodiesel
 - Biobutanol
- Amend Existing Fuel Specifications; for example
 - Natural Gas
 - E85

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When is a Multimedia Evaluation Not Required?

- The CEPC finds that the regulation will not have significant adverse impacts on the public health or environment

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Summary

- Multimedia evaluation not required for LCFS regulation
- Staff will perform functionally equivalent evaluation
- Multimedia evaluation is required for any new regulation establishing specifications, or any amendments to existing fuel specifications

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